

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

BARBARA LODER HILDEBRANDT, )  
Plaintiff, )  
-vs- ) No. C-1-02-0003  
HYATT CORPORATION, et al., )  
Defendants. )

Deposition of ROBERT SCHNITZ, taken before  
KAREN R. SHALES, C.S.R., R.P.R., and Notary Public,  
pursuant to the Federal Rules of Civil Procedure for  
the United States Courts pertaining to the taking of  
depositions for the purpose of discovery, at 420, 140  
South Dearborn Street, Chicago, Illinois, commencing  
at 8:44 a.m., on the 22nd day of April, 2004.

LEGALINK- CHICAGO  
(312) 263-3524

EXHIBIT

E

1 where you max out. Basically your maximum amount of  
2 severance pay, but someone who has been with the  
3 company 20 years versus 15 years, I don't know if  
4 that would make a difference one way or the other.

5 Q Do you recall whether ten years is a breaking  
6 point?

7 A I don't recall.

8 Q Okay. This will determine whether I have any  
9 additional questions. Is it true or not that the  
10 only advice you have given Hyatt officials about the  
11 reduction in force is legal advice?

12 A Yes, except with respect to my department.

13 Q Right.

14 A As I was mentioning before.

15 Q Okay.

16 MR. STEINBERG: I think we have come to the end  
17 of the road then. Thanks.

18 MS. GALLION: I have just a few questions, Mr.  
19 Schnitz.

20 FURTHER EXAMINATION

21 BY MS. GALLION;

22 Q I would like to go back to the beginning of  
23 your relationship with Hyatt. During any of your  
24 interviews or discussions with senior management then

1 at Hyatt while you were still working for the Fisher  
2 & Phillips law firm, did anyone at that company  
3 indicate that one of the purposes of your hire was to  
4 direct or to participate in any kind of reduction in  
5 force?

6 A No.

7 Q During the first few months that you were  
8 there, May, June, July, and August of 2001, are you  
9 aware of any reduction in force within the company  
10 that occurred anywhere?

11 A No.

12 Q Did you give advice for any reduction in  
13 force anywhere?

14 A In --

15 Q Prior to September of 2001?

16 A No.

17 Q Did anyone at Hyatt ask you to pay attention  
18 to or to look into or give advice concerning any  
19 reduction in force prior to the date that you have  
20 testified in approximately mid September of 2001?

21 A No.

22 Q I believe you were here yesterday for Mr.  
23 Rabin's deposition; is that correct?

24 A That's correct.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

BARBARA LODER HILDEBRANDT,

Plaintiff,

vs.

HYATT CORPORATION

and

TY HELMS

and

BRIAN J. BOOTH,

Defendants.

Case No. C-1-02-0003

Judge Beckwith  
Magistrate Judge Sherman

**DEFENDANTS' FIRST SUPPLEMENTAL ANSWERS AND OBJECTIONS  
TO PLAINTIFF'S FIRST SET OF INTERROGATORIES  
TO ALL DEFENDANTS**

Defendants HYATT CORPORATION, TY HELMS, AND BRIAN J. BOOTH ("Defendants"), by and through their undersigned counsel, hereby respond, in accordance with Rule 33(b) of the Federal Rules of Civil Procedure, to the consecutively numbered paragraphs of Plaintiff's First Set of Interrogatories to All Defendants served on Defendants by Plaintiff BARBARA LODER HILDEBRANDT ("Plaintiff"), as follows:

**GENERAL OBJECTIONS**

1. Defendants object to those Interrogatories which seek information that would contravene the attorney-client privilege, work-product doctrine, Federal Rules of Civil Procedure, or any other applicable privilege, doctrine or rule.

EXHIBIT

tabbles

F

2. Defendants object to those Interrogatories which are overly broad, oppressive and/or burdensome.
3. Defendants object to those Interrogatories which seek information which is neither relevant nor calculated to lead to the discovery of admissible evidence.
4. Defendants object to Plaintiff's Interrogatories to the extent that the information requested is not within the knowledge of Defendants or their agents.
5. Defendants do not waive their right to object to the relevancy or admissibility of any information provided in response to any Interrogatory by Plaintiff.
6. Defendants reserve the right to supplement these responses as appropriate.
7. Defendants object to any characterization of Plaintiff as a management-level employee.

### SPECIFIC RESPONSES

#### INTERROGATORY NO. 1:

Please identify each person who approved, recommended, was consulted about, had input into, or played any role of any kind in the decision to terminate Ms. Hildebrandt's employment, in any consideration of termination of her employment, in any consideration of alternatives to termination of her employment, or in any alternatives to termination of employment you allege were actually offered to Ms. Hildebrandt and explain that person's role in and contribution to the decision making process (e.g. approved, consulted, recommended, offered alternative employment).

#### RESPONSE:

Defendants object to Interrogatory No. 1 on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence and on the grounds that some of the information sought may be protected by the attorney-client privilege or the attorney work product doctrine.

Without waiving the foregoing objections, the following individuals played a role in the decision to terminate Plaintiff's employment through a reduction in the National Sales Force in September 2001:

**INTERROGATORY NO. 3:**

Please identify any person who replaced Ms. Hildebrandt after October 1, 2001, or who performed work upon or was assigned to administer Ms. Hildebrandt's accounts, or who performed any portion of Ms. Hildebrandt's responsibilities after October 1, 2001, and state the gender, date of birth and duties of each person named in the answer.

**RESPONSE:**

Defendants object to Interrogatory No. 3 on the grounds that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

Without waiving the foregoing objections, various individuals took over the responsibility for Plaintiff's accounts after her employment with Defendant Hyatt ended. No one, however, was hired to replace Plaintiff or fill her position in the Cincinnati area or in any other territory. Instead, various individuals took over responsibility for her accounts. Those individuals include the following:

Molly Crompton  
Female  
DOB: 3/6/68  
Director National Accounts-Central National Sales Office

Barbara Hale  
Female  
DOB: 4/27/67  
Director National Accounts-Central National Sales Office

Fred Reichelt  
Male  
DOB: 3/29/56  
Director National Accounts-Central National Sales Office

Inge Spindola  
Female  
DOB: 2/22/58  
Director of National Accounts-Central National Sales Office

Jennifer Roman  
Female  
DOB: 3/11/66  
Director of National Accounts

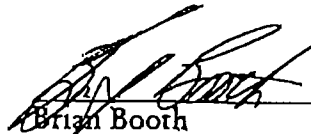
Initially, Plaintiff's accounts were distributed amongst the above-named individuals, so they could assess whether they were appropriate accounts for the National Sales Force, or whether they should be "released to the field" because they failed to meet the criteria for a "National Account." After Plaintiff's accounts were assessed, the following accounts were released to various sales personnel in hotels:

AEC Mgmt Resources Inc  
Bellwether Int'l  
Chief Officers State Library Assn  
F&W Publishing  
National Assn of Gov't Deferred  
National Assn of State Info Resource Executives  
National Assn of State Purchasing Office  
US Cutting Tool Institute  
Brown Forman  
Remember Data Services  
Self Storage Assn  
Spectra Precision Inc  
Thomas Associates Inc  
Travel Link  
Western Southern Life Insurance Corp  
United Commercial Travelers  
American Association of Lab Animal Science  
GE Aircraft Engines  
International Anesthesia Research Society  
Longaberger Company

VERIFICATION OF ANSWERS TO INTERROGATORIES

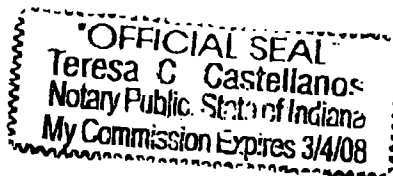
I, Brian Booth, hereby state as follows:

1. I am Director of the National Sales Office for Hyatt Corporation.
2. I have reviewed the foregoing First Supplemental Answers to Plaintiff's Interrogatories. The information provided therein was obtained from current and former employees of Hyatt Corporation and/or from Company records and is also based on my personal knowledge. I reserve the right to make any changes in the answers if it appears at any time that omissions or errors have been made therein, or that more accurate information is available.
3. Subject to limitations set forth herein, I verify under penalty of perjury that the foregoing answers to Plaintiff's Interrogatories are true and correct to the best of my knowledge, information and belief.

  
Brian Booth  
Director of National Sales  
Hyatt Corporation

STATE OF Indiana )  
COUNTY OF Lake ) ss

SWORN TO AND SUBSCRIBED before me this 12<sup>th</sup> day of November, 2002, by Brian Booth, Director of National Sales of Hyatt Corporation, who is personally known to me or has produced \_\_\_\_\_ as identification.



  
Notary Public

Printed Name: Teresa C. Castellanos  
My Commission Expires:



VERIFICATION OF ANSWERS TO INTERROGATORIES

I, TYSON HELMS, hereby state as follows:

1. I am VICE PRESIDENT - SALES for Hyatt Corporation in CHICAGO, ILLINOIS.

2. I have reviewed the foregoing First Supplemental Answers to Plaintiff's Interrogatories. The information provided therein was obtained from current and former employees of Hyatt Corporation and/or from Company records. Hyatt Corporation reserves the right to make any changes in the answers if it appears at any time that omissions or errors have been made therein, or that more accurate information is available.

3. Subject to limitations set forth herein, I verify under penalty of perjury that the foregoing First Supplemental Answers to Plaintiff's Interrogatories are true and correct to the best of my knowledge, information and belief.

HYATT CORPORATION

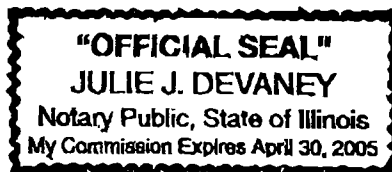
Tyson Helms

STATE OF )  
COUNTY OF ) ss  
)

SWORN TO AND SUBSCRIBED before me this 10<sup>th</sup> day of May, 2002, by Ty Helms, as Vice President - Sales of Hyatt Corporation, who is personally known to me or has produced \_\_\_\_\_ as identification.

Julie J. Devaney  
Notary Public

Printed Name: Julie J. Devaney  
My Commission Expires: 4/30/05



## VERIFICATION OF ANSWERS TO INTERROGATORIES

I, Eric Charlson, hereby state as follows:

1. I am Director of Human Resources for Hyatt Corporation in Chicago, Illinois.

2. I have reviewed the foregoing First Supplemental Answers to Plaintiff's Interrogatories. The information provided therein was obtained from current and former employees of Hyatt Corporation and/or from Company records. Hyatt Corporation reserves the right to make any changes in the answers if it appears at any time that omissions or errors have been made therein, or that more accurate information is available.

3. Subject to limitations set forth herein, I verify under penalty of perjury that the foregoing answers to Plaintiff's Interrogatories are true and correct to the best of my knowledge, information and belief.

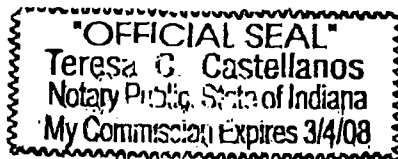
HYATT CORPORATION

*Eric Charlson*

Eric Charlson  
Director of Human Resources  
Hyatt Hotels Corporation

STATE OF ~~Illinois~~ Indiana )  
COUNTY OF ~~Cook~~ Lake ) ss

SWORN TO AND SUBSCRIBED before me this 25th day of November, 2002, by Eric Charlson, as Director of Human Resources of Hyatt Corporation, who is personally known to me.



*Teresa C. Castellanos*  
Notary Public

Printed Name: Teresa C. Castellanos  
My Commission Expires:

DATED this 22<sup>nd</sup> day of November, 2002.

Respectfully submitted,

By: 

Theresa M. Gallion\*  
Florida Bar No. 726801  
tgallion@laborlawyers.com

Natalie J. Storch\*  
Florida Bar No. 269920  
nstorch@laborlawyers.com

FISHER & PHILLIPS LLP  
1250 Lincoln Plaza  
300 South Orange Avenue  
Orlando, Florida 32801  
Telephone: (407) 541-0888  
Facsimile: (407) 541-0887

By: 


Jeffrey J. Harmon  
Ohio Bar No. 0032848  
CORS & BASSETT  
1881 Dixie Highway, Suite 350  
Ft. Wright, Kentucky 41011  
Telephone: 859-331-6440  
Facsimile: 859-331-5337

Attorneys for Defendants, HYATT  
CORPORATION, et al.

\*Admitted Pro Hac Vice

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of Defendants' First Supplemental Answers and Objections to Plaintiff's First Set of Interrogatories to All Defendants has been furnished on November 22<sup>nd</sup>, 2002, via facsimile and Overnight Mail, postage pre-paid, to: Stanley M. Chesley and Robert A. Steinberg, Waite, Schneider, Bayless & Chesley Co., L.P.A., 1513 Central Trust Tower, Cincinnati, OH.

  
\_\_\_\_\_  
Natalie J. Storch